

1 consider a claim on which it has paid no money to or on behalf of an insured as grounds for
2 canceling or failing to renew a homeowner's policy of insurance or increasing the policy
3 deductible of a homeowner's policy.

4 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby request
5 that the Department of Insurance recommend possible amendments to R.S. 22:1265 based
6 on the findings of this study, including a definition of a demand for payment and whether
7 an insurer should be required to disclose to an insured in a prominent location on the policy's
8 declarations page that making a claim on the policy on which the insurer pays no money to
9 the insured will be deemed a demand for payment under the policy and the consequences of
10 filing a claim that does not exceed the policy's deductible.

11 BE IT FURTHER RESOLVED that such a study shall include a review of other
12 states to determine if other states allow insurers to use claims that do not exceed the insured's
13 deductible as grounds for canceling or failing to renew a homeowner's policy of insurance
14 or raising the homeowner's deductible.

15 BE IT FURTHER RESOLVED that such a study shall determine if prohibiting
16 insurers from considering claims on which no payment is made either to the insured or on
17 behalf of the insured as grounds for canceling or failing to renew a homeowner's policy of
18 insurance or increasing the homeowner's deductible would have upon the willingness of
19 insurers to continue writing homeowner's insurance policies in this state.

20 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby request
21 that the Department of Insurance may submit its findings from this study in the form of a
22 report to the House Committee on Insurance and the Senate Committee on Insurance on or
23 before January 15, 2015.

24 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
25 commissioner of insurance.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE